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Date: 27 January 2023

JP/HK
15/4/1 (5713) P

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Sir

APPROVAL FOR SUBDIVISION OF ERF 5713 PAARL, CORNER OF AMBAGTSVALLEI AND ROSAKI STREETS

Your letter under reference P3683/22, dated 22 April 2022, refers.

1. Approval has been granted in terms of Section 60 of the Drakenstein By-Law on Municipal Land Use Planning, 2018, for the **subdivision** of Erf 5713 Paarl into **Portion A** ($\pm 368\text{m}^2$), **Portion B** ($\pm 454\text{m}^2$) and road **Portion C** ($\pm 35\text{m}^2$), as depicted on Subdivision Plan No. 1 REV 1, dated March 2022 - Jan 2023;
2. The approval granted in paragraph 1 above, is subject to the following conditions imposed in terms of Section 66 of the Drakenstein By-Law on Municipal Land Use Planning, 2018:
 - 2.1 Copies of the approved diagrams for Portions A, B and C must be submitted to the municipality.
 - 2.2 Portions A and B must be registered simultaneously in the Deeds Office.
 - 2.3 Portion C must be registered into the name of the municipality at the cost of the owner.

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- 2.4 An encroachment agreement, with respect to the land and structure/infrastructure that encroach onto Portion C and the street, as indicated on Plan of Subdivision No. 1 REV 1 dated March 2022 - Jan 2023, must be entered into between the municipality and the prospective owners of Portions A and B. Alternatively, the encroachment must be removed.
- 2.5 The ablution block indicated on the plan of subdivision must be demolished subsequent to obtaining a demolition certificate from the municipality's Building Control section.
- 2.6 The carport straddling the line of subdivision must be relocated subsequent to building plan approval.
- 2.7 Adherence to the conditions laid down by the Manager: Infrastructure Management, Civil Engineering Services, Drakenstein Municipality, in his memorandum referenced 15/4/1 (5713) P (230) dated 6 March 2023 **(See Annexure A)**.
- 2.8 Adherence to the following conditions laid down by the Manager: Planning and Customer Services, Drakenstein Municipality: Electro Technical Engineering Services Department:
 - 2.8.1 Each erf must have its own service connection from the street boundary.
 - 2.8.2 No services may cross from one erf to another.
 - 2.8.3 NRS069 network recovery cost will apply for the subdivision.
 - 2.8.4 An application must be submitted to the respective department for the provision of a separate service connection.
 - 2.8.5 A certificate of compliance and occupational certificate must be issued by a private registered installation electrician on the day the service is rendered.
- 2.9 This approval applies only to the application in question and shall not be construed as authority to depart from any other legal prescriptions or requirements.

3. The owner's attention must be drawn to the following:

- 3.1 Authority for the separate registration of any newly created erf will not be issued by the municipality unless conditions 2.1 to 2.9 above, where applicable, have been complied with satisfactorily.

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- 3.2 No building plan will be approved unless each portion has a separate water, sewer and electricity connection.
- 3.3 The owner is responsible for all engineering installation, alteration and upgrading costs including the costs for new municipal connections, storm water connections and new vehicle access points.
- 3.4 Plans for any proposed construction or changes to services are to be submitted to the Civil Engineering Services Department for approval prior to construction.
- 3.5 The onus rests on the prospective owners of Portion A and Portion B to ensure that the correct number of toilets on each portion is provided to the municipality's Finance Department.
- 3.6 The future addresses for Portion's A and B will be as follow:
 - 3.6.1 Portion A - No. 27 Ambagtsvallei Street
 - 3.6.2 Portion B - No. 18 Rosaki Street

4. The following are regarded as the reasons for the above approval decisions:
 - 4.1 The proposal is in line with the Drakenstein Municipality densification policy;
 - 4.2 The proposal is merely a formalization of an existing situation and will not change the character of the area or have a negative impact on neighbouring properties;
 - 4.3 There is adequate infrastructural capacity for the proposal, and
 - 4.4 The creation of two separate land units will provide an additional source of revenue for the municipality.

Your attention is drawn to the general right of appeal to the Executive Mayor being the Appeal Authority in terms of Section 79(2) of the Drakenstein Bylaw on Municipal Land Use Planning 2018, by any person whose rights are affected by the decision of an authorised official, within **21 days** of notification of the decision. This approval is therefore suspended until further notice. Please also notify (**email or per hand**) the surrounding property owners who were notified of the application during the public participation process and the **objectors (if applicable)**, of their general right of appeal – proof of notification **must** be provided. Note that the 21-day appeal period will commence the day after all the property owners have been notified.

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The appeal procedures are set out in Section 80 of the abovementioned By-Law (attached). All appeals should be lodged to the City Manager of Drakenstein Municipality, P.O Box 1, Paarl, 7622 or at customercare@drakenstein.gov.za

Yours faithfully



H.G STRIJDOM (PR. PLN A/1058/1998)
MANAGER: LAND DEVELOPMENT AND MANAGEMENT

Please address all correspondence to the City Manager, P O Box 1, Main Street, Paarl, 7622, or Customer care, e-mail, customercare@drakenstein.gov.za, Henk Strijdom, henks@drakenstein.gov.za